

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/04/20 **DATE OF COMPLETION:** 06/10/22 **PAGE# 1 of 2**

SUMMARY OF ALLEGATION #1: The officer failed to take the required action.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer wore a jacket embroidered with a name other than her own. The complainant explained that he discovered the discrepancy when they later checked the names of the officers and found that the named officer's name did not appear on the Department roster.

The named officer stated that she changed her last name prior to the incident and filed the appropriate paperwork with the Department.

Department records indicate that the named officer responded to a call for a fight with no weapons.

The Department roster reflects the named officer's name was changed at the time of the incident.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

SUMMARY OF ALLEGATION #2: The officer behaved or spoke inappropriately.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **U** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that when the named officer provided him a CAD slip, he scratched his name out to make it illegible.

Department records indicate that the named officer responded to a call for a fight with no weapons.

The complainant was unable to provide the CAD slip in question.

Body Worn Camera (BWC) footage showed the named officer hand the complainant a CAD slip. The footage did not show him scratching off anything on said CAD slip.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

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SUMMARY OF ALLEGATION #3: The officer conducted an improper search.

CATEGORY OF CONDUCT: UA **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the named officer entered his residence without permission.

Department records indicate that the named officer responded to a call for a fight with no weapons.

BWC footage showed the named officer speak with the complainant while outside a commercial building that he claimed as his residence. The named officer never entered the building.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

SUMMARY OF ALLEGATION #4: The officer behaved or spoke inappropriately.

CATEGORY OF CONDUCT: CUO **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer incorrectly assessed the legality of a property dispute between himself and another party. He stated the named officer spoke inappropriately and should not have provided legal advice.

Department records indicate that the named officer responded to a call for a fight with no weapons.

BWC footage showed the named officer speak with the complainant, who claimed to have legal occupancy in a commercial building, and the other party, who had possession of legal papers documenting that he was the property owner. The complainant stated he had a verbal lease to inhabit the property. The named officer informed the complainant that a verbal lease was not valid. However, the named officer did not evict the complainant from the building.

The named officer performed his duties as required by evaluating a situation that required police intervention. The named officer did not provide legal advice.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

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SUMMARY OF ALLEGATIONS #1-2: The officers failed to prepare an incident report.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he called the police to report two issues; a neighbor dispute and missing vehicle parts. The named officers responded, obtained his statement, and provided him a CAD number. The complainant stated he was only given a CAD number for the missing vehicle parts incident and not for both. Furthermore, he wanted a police report not a CAD number.

Named Officer #1 stated he obtained a statement from the complainant regarding both issues; however, the complainant appeared to be slightly confused and unable to focus on some of Named Officer #1's clarifying questions. Named Officer #1 stated that he did not prepare a report because the complainant told him he was going to talk to the mechanic who had performed the work about any discrepancies with his missing vehicle parts. Additionally, Named Officer #1 stated that he did not prepare an incident report regarding the neighbor dispute because the complainant was unable to articulate that a crime had been committed or attempted; and the complainant did not request that the officers arrest his neighbor.

Named Officer #2 stated that he was the cover officer. He only greeted the complainant and did not speak to the complainant regarding the missing parts or the neighbor dispute. Named Officer #2 did not hear all of the complainant's statement to Named Officer #1, but based on the information he did hear, he believed the complainant's issue was civil in nature which did not require an incident report to be made. Additionally, Named Officer #2 stated that Named Officer #1 did not alert him that the incident was criminal in nature and required a criminal investigation so for those reasons he remained in his role as cover officer for the duration of the incident.

Department General Order 2.01, General Rules of Conduct, On-Duty Written Reports, states that while on duty, members shall make all required written reports of crimes or incidents requiring police attention.

The CAD showed that the complainant called to report that he had ongoing issues with his neighbor, and he wanted to talk to officers regarding his vehicle's missing parts. The named officers were on scene with the complainant for 30 minutes. The officers concluded that there was no merit to a complaint of threats and harassment by the neighbor and the missing vehicle parts was a civil matter. It was documented that the complainant was provided the CAD number and no further police action was required.

There was no body-worn camera footage.

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The complainant had two issues he wanted to report and both incidents were documented in the CAD. The complainant did not indicate to the officers or DPA that he desired an arrest. Due to those factors, officers were not obligated to write a police report.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

SUMMARY OF DPA-ADDED ALLEGATION #1: The officer failed to comply with Department Bulletin 20-175.

CATEGORY OF CONDUCT: ND FINDING: IE DEPT. ACTION:

FINDINGS OF FACT: During the DPA's investigation, it was discovered that the named officer did not activate his body-worn camera for his response to the service call.

The CAD was obtained regarding this incident. The CAD showed that the named officer responded to an incident that was categorized as a "C" priority call for service regarding threats/harassment.

SFPD confirmed that there was no body-worn camera footage for this incident.

Department Bulletin 20-175, which was issued to clarify when officers are required to activate their body-worn cameras, states, in pertinent part, "...when responding to calls for service or any of the mandatory recording circumstances, members shall begin recording by pressing the Event button while en route and prior to arriving on scene." The bulletin also provides a reminder regarding the mandatory recording standards outlined in Department General Order 10.11, Body Worn Cameras, Section C.

The named officer stated that at the time of his arrival to the scene, he clicked his body-worn camera activation button twice as he was trained to do. During the incident he was under the impression that because he had clicked the activation button his body-worn camera was activated and recording. He stated it was not until the conclusion of the incident that he realized that the body-worn camera did not activate.

The officer reasonably should have noticed earlier rather than later that the camera did not beep. However, there is insufficient evidence to either prove or disprove that the alleged conduct occurred due to misconduct rather than operator error.

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SUMMARY OF DPA-ADDED ALLEGATION #2: The officer failed to comply with Department Bulletin 20-175.

CATEGORY OF CONDUCT: ND **FINDING:** IC/S **DEPT. ACTION:**

FINDINGS OF FACT: During the DPA's investigation, it was discovered that the named officer did not activate his body-worn camera for his response to the service call.

The CAD was obtained regarding this incident. The CAD showed that the named officer responded to the call for service incident that was categorized as a "C" priority call for service regarding a threats/harassment.

SFPD confirmed that there was no body-worn camera footage for this incident.

Department Bulletin 20-175, which was issued to clarify when officers are required to activate their body-worn cameras, states, in pertinent part, "...when responding to calls for service or any of the mandatory recording circumstances, members shall begin recording by pressing the Event button while en route and prior to arriving on scene." The bulletin also provides a reminder regarding the mandatory recording standards outlined in Department General Order 10.11, Body Worn Cameras, Section C.

The named officer stated that upon arriving on scene the complainant approached him and asked for advice. The officer did not realize at first that the complainant was the 911 caller and as he listened, he believed the complainant may have been suffering from some form of dementia as he either ignored or did not answer his questions. The officer stated that he did not activate his body-worn camera as he did not believe that incident was a criminal matter.

Both Department General Order 10.11 and Department Bulletin 20-175 do not require proof of criminal activity for body-worn camera activation. In fact, DB 20-175 requires activation when officers are en route to a call for service and DGO 10.11 mandates all on-scene members equipped with a BWC to activate their BWC equipment to record detentions and arrests and consensual encounters where the member suspects that the citizen may have knowledge of criminal activity as a suspect, witness, or victim..."

The named officer was responding to a C priority call of Threats/Harassment. The officer could not possibly determine ahead of time whether such a call would have merit, or whether such a call would require police action. The officer spoke to the complainant first and *then* determined that the call had no

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merit. As the officer was responding to a call for service, he was required to activate his body-worn camera while enroute to the scene.

A preponderance of the evidence proves that the alleged conduct occurred and that the conduct violated Department policy or procedure.

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SUMMARY OF ALLEGATION #1: The officer detained a person at gunpoint without justification.

CATEGORY OF CONDUCT: UF **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated she was driving in the fast lane on the freeway when she witnessed four officers chase a suspect across the freeway to the median. She stated the named officer stopped her vehicle by pointing his rifle at her for a minimum of 45 seconds.

Department records indicate that the named officer assisted with the apprehension of a murder suspect, occurring on the medium of a busy freeway. The report documents that the named officer pointed his weapon at the suspect, not at the complainant.

Body-worn camera footage showed the named and three other officers chase a suspect across a busy freeway, apprehending him on the median. The named officer briefly pointed his weapon at the suspect, which was in the opposite direction of the complainant. The named officer then quickly turned to face traffic and held his rifle pointing slightly upwards yelling at the complainant to stop as she was quickly approaching the other officers who were actively detaining the suspect in the lane of traffic. The named officer continued to hold his weapon slightly upright and only faced the complainant for two seconds before he returned his attention behind him to the other officers. BWC did not show the named officer intentionally point his weapon at the complainant.

Department General Order 5.01 (Use of Force) requires officers to report any intentional pointing of a firearm at a person.

The named officer had his weapon out as he and other officers were actively detaining a murder suspect on the median of a busy freeway. Due to the extreme danger of the situation, the named officer, who still held his rifle, briefly turned around to stop oncoming traffic to prevent he and the other officers from being hit by vehicles. Evidence showed that the named officer faced the complainant with his rifle for two seconds as he waved her to stop. The evidence does not show the named officer intentionally point his weapon at the complainant.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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SUMMARY OF ALLEGATIONS #1-2: The officers failed to take required action.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated an unknown individual (the “suspect”) entered the leasing office of a three-thousand-unit multi-family housing development and made nonsensical statements such as he owned the entire development, and she was terminated for failure to do her job. The complainant’s co-worker (the “victim”) subsequently asked the suspect to leave. The suspect returned a short time later and brutally assaulted the victim. The complainant hid in a room and called 911. However, the officers were slow to respond to the scene and when they arrived, they failed to conduct an adequate investigation.

Named officer #1 denied the allegation, stating that his driving response was based on the type of call. The call was dispatched as a fight with no weapon and being that there was no weapon and no report of immediate danger to someone’s life, he drove the patrol vehicle to the scene immediately upon receiving the call and obeyed all traffic laws. When he arrived at the scene, he stated that walked at a tactical pace.

Named officer #2 denied that allegation stating that while walking to the leasing office he was communicating information on the radio to dispatch rather than rushing into a reported fight without knowing the specific details of what was transpiring inside the office.

SFPD records reflected that the call was dispatched as an “A-Priority” call regarding an assault and battery. The complainant reported that someone was beating up her co-worker. The officers arrived within seven minutes of being dispatched to the call.

Body-worn camera showed that the officers exited their vehicle and walked at a steady pace to the location of the assault. Named officer #1 passed the complainant, and she told him that her co-worker was being assaulted in the building at the end of the walkway. Both officers continued to walk at a consistent pace directly into the building. Named officer #1 walked, then turned around and asked the complainant if the suspect had any weapons; however, no answer was audible. The officers entered the office and handcuffed the suspect.

Department General Order 5.05 (III)(A) & (B) states that for emergency responses it is the policy of the Department that officers respond Code 3 only when an emergency response appears reasonably necessary to prevent serious injury to persons, whether or not a criminal offense is involved, while for non-emergency responses the officer shall respond directly to the assignment and observe all traffic laws and regulations.

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The SFPD Field Training Manual instructs officers responding to calls for service to make an estimate of the situation, make a plan, identify safe areas for approach, as well as other officer safety practices.

Based on the totality of the circumstances, the response to the scene and leasing office were within Department policy.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

SUMMARY OF ALLEGATION #3: The officer failed to comply with Department General Order 6.14.

CATEGORY OF CONDUCT: ND FINDING: IC/S DEPT. ACTION:

FINDINGS OF FACT: The complainant stated that the named officer obtained statements from all the involved parties and reviewed the surveillance video of the leasing office. However, the named officer released the suspect even though the suspect shoved the victim into a wall, stomped on his head twice, and repeatedly yelled that he owned the development.

The victim informed the named officer that the suspect told him that he owned the development and when he told the suspect that he was unable to give him the key to the unit the suspect requested, the suspect subsequently pushed him from behind, punched and kicked him.

The named officer denied the allegation, stating he believed the suspect was in an altered mental state but did not believe he met the criteria for a Welfare and Institutions Code ("WIC") § 5150 detention. The suspect corroborated the victim and complainant's statement regarding ownership of the complex, but he also told the named officer that the victim shoved him, leading him to defend himself. Despite video that contradicted this assertion, the named officer did not believe the suspect posed a danger to anyone other than the victim or himself.

The named officer's partner stated that he asked the suspect several mental health evaluation questions (such as orientation to time and place), to which the suspect responded correctly.

Surveillance footage captured a portion of the assault which showed the suspect chase the victim around the office, push, punch and also stomp on the victim's head twice.

Police records and body-worn camera footage confirm that the named officer detained the suspect and subsequently obtained statements from the suspect, victim, and the complainant and viewed surveillance

footage of the incident. The named officer discussed with another officer that the suspect seemed "off" and "all over the place."

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The named officer also failed to give the supervising officer accurate and complete information about the incident. The named officer described the incident as a fight rather than an unprovoked attack and referred to the suspect as a “tenant” which was incorrect. However, the named officer did tell the supervising officer that he “assessed the guy for 5150” because he seemed “off.” After the investigation was completed and with the approval of a supervisor, the named officer cited and released the suspect for simple battery.

The named officer gave multiple warnings to the complainant and victim before he left. He told them that the suspect might return, that they should lock their doors, and they could either leave or wait downstairs until the suspect was released. Records also showed that later that day, after the suspect was cited and released, the named officer and his partner responded to another call regarding an assault. In the subsequent incident, the suspect again assaulted another individual under similar circumstances at a grocery store, again, falsely claiming he was the owner of the grocery store. The employee declined the private person’s arrest, so the suspect was placed on a WIC 5150 hold.

DGO 6.14 requires that officers arrest or cite an individual when they have committed a crime, and states, “Cited individuals who are, as a result of mental disorder, a danger to themselves, a danger to others, or are gravely disabled shall also be detained for psychiatric evaluation.”

Despite the indicators that the suspect was mentally unwell, and the warnings that the suspect might return to harm again, the named officer failed to detain the suspect for a psychiatric evaluation. It was clear that the suspect was operating under a delusion that fueled his violence toward the victim. Therefore, a WIC detention would have been lawful and proper in this incident.

A preponderance of the evidence proves that the alleged conduct occurred and that the conduct violated Department policy or procedure.

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SUMMARY OF ALLEGATION #4: The officer failed to comply with Department General Order 5.06.

CATEGORY OF CONDUCT: **ND** **FINDING:** **IC/S** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer released the suspect even though the suspect shoved the victim into a wall and stomped on his head twice without provocation.

The victim informed the named officer that the suspect told him that he owned the housing development and when he told the suspect that he was unable to give him the key to the unit the suspect requested, the suspect subsequently pushed him from behind, punched and kicked him.

The named officer justified the cite and release for simple battery by stating the victim was much larger than the suspect and the victim did not appear to have serious bodily injury.

The supervising officer gave his approval for the cite and release over the phone. He did not see the security camera footage until after the suspect was released. The supervising officer stated that the description of the assault that the named officer provided when seeking approval to cite and release was not consistent with the security camera footage he later viewed. The supervising officer also stated that had he known what the footage showed when he gave cite and release approval, he might have rendered a different decision regarding the release of the suspect, because he was concerned that the kicks to the victim's head would make the assault a felony and warrant a custodial detention of the suspect.

Police records showed that the incident report was reviewed by the Station Investigation Team (SIT) and assigned to an investigator. Based on the surveillance video the investigator spoke to the District Attorney regarding amending the charge. An additional charge of assault with force likely to cause great bodily injury (Penal Code section 245(a)(4)) was added against the suspect.

Department General Order 5.06 (I)(B)(7)(9) states that if a "person is arrested for a misdemeanor offense(s), he/she shall be subject to custodial arrest rather the citation release when there is reasonable likelihood that the offense would continue or the safety of persons or property would be in imminently endangered by the release of the person (see 40303 C.V.C.) or if the person is charged with a felony or an offense punishable as either a felony or a misdemeanor ('wobbler')."

The named officer's own observations of the suspect, the fear and reaction from the victim, and the surveillance video showing the suspect stomp on the victim's head was enough evidence to place the suspect under full custodial arrest. Additionally, had the named officer provided a complete and accurate account of the incident, the supervising officer would likely have not approved the simple battery citation

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and would have instructed the named officer to arrest the suspect for felony assault and take him into custody.

A preponderance of the evidence proves that the alleged conduct occurred and that the conduct violated Department policy or procedure.

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** **IO-1/DEM** **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

Division of Emergency Communications
Department of Emergency Management
1011 Turk Street, San Francisco, CA 94102

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SUMMARY OF ALLEGATIONS #1-2: The officers failed to take required action.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that a friend of hers threatened to kill himself. The complainant called 911 and asked for assistance. She stated that the named officers that responded failed to place him on a psychological evaluation hold.

Named Officer #1 and Named Officer #2 both stated that they responded to a call for service regarding a suicide attempt. They met with a witness who stated multiple times that he did not want to harm himself or others. Named Officer #1 and Named Officer #2 both asked if he had eaten that day and he responded that he had. Named Officer #1 stated that the witness did not answer his question regarding when he last slept. Named Officer #1 stated that the witness did not appear to be in an altered state. Named Officer #2 stated that the witness told them that he had planned to continue his day. Named Officer #1 and Named Officer #2 stated that the witness did not meet the 5150 (involuntary detention for a psychiatric evaluation) criteria.

The DPA obtained the Named Officers' body-worn camera footage of the incident. The Named Officers' body-worn camera footage is consistent with the statements they provided to DPA. The witness can be heard on body camera stating that the complainant has lied about him wanting to harm himself before. The witness is asked multiple times if he wants to hurt himself or others and each time he answers, "No."

No additional witnesses were identified.

The evidence showed that Named Officer #1 and Named Officer #2 asked the questions they are required to ask by law pertaining to a potential 5150 detention. The evidence showed that the witness in this incident did not meet the criteria and, as a result, was not placed on a 5150 hold.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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SUMMARY OF ALLEGATION #1: The officer behaved or spoke inappropriately.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **IE** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he was made to wait three hours to make a complaint at a station. The complainant stated that the officer working at the front desk ignored him and laughed and joked with other officers.

The named officer stated she was the only officer working the front desk and had multiple reports to write up from other members of the public. The named officer stated she asked the complainant to wait as she needed to finish writing the other reports before taking a new one. The officer denied ignoring the complainant and said she was professional and polite.

No video footage was available.

No other evidence was available to refute or confirm the complainant's or officer's account of the incident.

The evidence fails to prove or disprove that the alleged conduct occurred.

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SUMMARY OF ALLEGATION #1: The officer used unnecessary or excessive force.

CATEGORY OF CONDUCT: **UF** **FINDING:** **NF** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated she witnessed three officers push her brother to the ground. She stated one of the officers placed their knee on her brother's neck. She stated the officers either broke or dislocated her brother's arm, damaged his face, and chipped his back tooth. The complainant described the officers as resembling SFPD officers.

The DPA reached out to the complainant's brother for an interview. The complainant's brother did not respond. The complainant's brother did file a complaint about an incident with similar circumstances. The DPA investigated that complaint already.

The complainant's brother was incarcerated with the San Francisco Sheriff's Office at the time of the incident. His Field Arrest and Housing Activity Cards were analyzed. There was no documentation of the incident the complainant alleged seeing.

The complainant QALL was analyzed to determine what incidents he had with the San Francisco Police Department. There was no documentation of the incident the complainant alleged seeing.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

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SUMMARY OF ALLEGATION #1: The officer failed to take required actions.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged that the named officer failed to take action regarding people dealing, selling, and using drugs, homeless encampments, illegal RV parking, theft, prostitution, and other illegal activities in the district and around the complainant's family business. He said he had spoken to multiple people from the department over some time, but nothing had been done.

The named officer confirmed that he is responsible for organizing and supervising police activities in the district. He explained that they have officers out in the area every day of the week, throughout the day and night. They continue to have officers respond to the area where they receive calls-for-service and have on-view officers patrol the area. He said most of the time, the issues can be resolved in a short amount of time. Some issues required a multi-layered approach involving other city agencies.

The officer also said department policy outlines the City's strategy by taking a "services-led approach with the objective of connecting the unsheltered population with available housing and services." He explained officers cannot simply tow illegally parked, occupied vehicles and can only tag them with a 72-hour notice to move.

The named officer confirmed that he had spoken to the complainant many times throughout the year. He said he would inform the complainant about what they can do immediately and what can be done in the future based on officer availability, staffing, and other city resources.

Department records indicate that the complainant had contacted the police numerous times regarding people selling and using drugs or vehicles parked illegally. Issues were either resolved or handled before police arrived.

Department Bulletin 20-100 states, "the City's strategy in addressing tents, living structures, or encampments continues to be taking a services-led approach with the objective of connecting the unsheltered population with available housing and services."

The evidence collected proves that the named officer had organized police presence and patrol in the complainant's area for potential criminal activities and has, on occasion, successfully resolved issues in the area prior. The evidence showed that the named officer followed the updated department guidance on the homeless encampments issue. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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SUMMARY OF ALLEGATIONS #1-2: The officers detained a person at gunpoint without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that his wife and two cousins finished grocery shopping and drove off the parking lot. Then two officers pulled them over. The officers ordered them to raise their hands inside their car, throw their car key out the window and walk out of the vehicle. The complainant was not on the scene when it happened but was told by one of the cousins that at least one officer had pulled out a gun during the detention. The officer later explained that they had received a report saying the three had a gun in the car.

Both named officers admitted that they held their guns during the detention but did not point the weapons at the occupants or the vehicle. Named officer #1 stated that they received a call of a person waving what looked like a gun, and dispatch relayed the suspect vehicle description and license plate to them. The vehicle the three drove matched the description, so the officers decided to effect a high-risk traffic stop. Since the call mentioned a gun, the officer decided to hold his firearm for self-defense. Named officer #2 also stated that the wife and cousins' vehicle matched the vehicle's description with armed occupants, who also matched the suspect's description. Moreover, since the call involved a gun, the officer learned in police training that they should draw their handguns.

Department records indicate that a reportee called 9-1-1 regarding someone waving a gun and provided the vehicle's license plate and model number. The information provided by the reportee matched that of complainant's relatives. The incident report confirmed that named officer #2 held his handgun at low ready during the detention.

The body-worn camera did not capture any officers pointing firearms.

The DPA interviewed the witnesses of this case, and they either said they saw guns drawn or being put back into their gun holsters.

The evidence collected proves that although the officers did detain the complainant's wife and cousins with guns drawn, they were justified in doing so because the 911 caller reported that the vehicle occupants had brandished a gun. The officers were justified to draw their handguns for self-defense in high-risk traffic stops. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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SUMMARY OF ALLEGATIONS #3-4: The officers failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said that the officers could not find any guns after searching the wife and cousins' persons and vehicle and eventually released them. The three then showed the officers videos and explained they had a confrontation with a man at the grocery store parking lot earlier. The man used his vehicle to block their vehicle. One of the cousins then called 911. The complainant said the officers neglected the whole incident because they wanted repercussions for the false report.

Both named officers said after the three were released, they identified and spoke to the reporting party. However, there was no probable cause to arrest the reporting party for making a false allegation against the complainant's wife and cousins because he thought he saw a gun during the verbal altercation and there was no evidence, such as surveillance video in the area, to refute his assertion.

Department records indicate that the officers released the vehicle's three occupants after a negative firearm search. It records that the officers met with the reportee, who told them that the vehicle driver lifted his shirt and the reportee saw a handle of what he thought was a black handgun. Then he walked away and called 9-1-1. The records also indicate that no one was booked or arrested for false allegations.

Body-worn camera footage captured that after the officers released the wife and cousins, they drove to the reportee, who told them he had seen the driver lift his shirt and show a black handle object that he thought looked like a gun, but did not take it out or point it at him.

The witness, one of the cousins, said the man blocked their car, so he called 911. The man then moved his car away and drove into another open spot. The witness told dispatch that he was scared and did not know what the man would do next. The dispatcher agreed to hold onto the call until they left the parking lot. They left, and the witness told dispatch that they felt comfortable and hung up.

Penal Code 148.5 states that it is "illegal to make a false police report of a crime...False reporting is only a crime if the person making the report knows it to be false."

The collected evidence proves that although one of the cousins called 911, he ended the call with dispatch once they left the parking lot and felt safe. Furthermore, even though the officers could not prove that the wife and cousins had guns as the man claimed, they did not have probable cause to prove that the man knew what he reported was false. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/11/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 3 of 4**

SUMMARY OF ALLEGATIONS #5-6: The officers engaged in other unequal treatment.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that officers did not treat everyone in the incident fairly.

Named officer #1 said he spoke to both parties regarding their claims against the other, treated them with respect, and denied mistreating anyone. Named officer #2 said he treated the occupants with safety and respect throughout the incident. They were acting on the information provided to them at the time by dispatch according to Department Policy and training.

Department records indicate that officers acted based on reasonable suspicion provided by dispatch and obtained statements from both parties.

The body-worn camera footage also shows that the officers detained and searched the three and their vehicle based on information provided by dispatch and spoke to the occupants and the reportee to obtain their statements, respectively.

The evidence proves that officers detained and searched the occupants and suspected vehicles based on dispatch information. They did speak to both parties to get the whole story.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/11/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 4 of 4**

SUMMARY OF ALLEGATIONS #7-8: The officers behaved or spoke inappropriately.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated during the confrontation at the grocery store parking lot, he was told that the man was very aggressive and racist and said "fucking Chinese." The complainant said that officers not taking action encouraged racist incidents against minorities and allowed the police force to become a tool for bullying.

Both officers stated that they do not recall the vehicle's occupants saying anything about being called "fucking Chinese." Named officer #1 said he would have handled the incident the same way regardless of the race of any of the involved parties. He does not believe he did anything to encourage racist incidents against minorities or turn SFPD into a tool for bullying. Named officer #2 said they acted within Department policy and training, and to say that they encouraged racist bullying is a false allegation without merit.

Department records indicate that all the parties involved were Asians and were essentially from the same ethnic group.

Body-worn camera footage captured that one of the cousins told named officer #2 that the man called them "Chinese pigs," and it shows that all the parties involved appeared to be Asians. It also captured that the officers acted based on information provided by dispatch.

During the confrontation, witnesses #1 and #2 said that the man called them "fucking Chinese" or "Chinese pigs."

The evidence proves that although the cousin did tell an officer that the man called them Chinese pigs, all the involved parties appeared to be of the same ethnic group and that officers on the scene detained and searched people based on reasonable suspicion and did not take further action on the man because of a lack of probable cause.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/17/21 **DATE OF COMPLETION:** 06/27/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: **ND** **FINDING:** **U** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant called DPA and left a voicemail message making a general complaint about call for service delays and officers not responding to his calls. Additionally, he stated that he sent a record request to SFPD pursuant to the Sunshine Ordinance without a response. The complainant did not provide specific dates or the name of the officer to whom he sent the public records request.

A review of department records showed that officers responded to each call for service that the complainant made during a one-month period. Although some incidents showed delayed responses, those delays were appropriate given the nature and priority of the calls.

DPA sent an officer identification poll to the district station regarding the public records request complaint, and it was returned with negative results. Therefore, DPA was unable to identify the subject officer.

DPA attempted to contact the complainant several times to obtain additional information regarding his complainant. However, the complainant did not respond to DPA's inquiries.

The complainant made inconsistent statements and failed to cooperate with the DPA investigation. Based on the totality of the circumstances, the evidence showed that conduct did not occur as indicated by the complainant.

The evidence proves that the conduct alleged did not occur.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/21 **DATE OF COMPLETION:** 06/27/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to take required action

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The parking manager and the complainant, a ride-share driver, were involved in a civil dispute regarding access to the parking lot. The parking manager refused to open the gate and allow the complainant to exit the parking garage until the matter was settled. The complainant refused to settle the matter, but someone eventually opened the gate and allowed the complainant to exit. However, the complainant believed he was held hostage. The complainant subsequently visited a police station to file a report. However, the named officer obtained the complainant's statement and told him that no crime was committed, so he would not be able to write an incident report.

The named officer denied the allegation that he refused to write an incident report. He explained to the complainant that his incident was not a criminal matter but civil in nature, which did not require police attention. The named officer stated that there was an administrative issue with the complainant's parking card being "suspended" and therefore inactive which prevented his vehicle from exiting the garage. The complainant contacted parking lot personnel and in turn, parking lot personnel responded to the complainant's location and allowed him and his vehicle to exit the parking lot. The named officer also noted that to the very best of his recollection, the complainant did not contest the suspension of his parking lot card; he was merely upset that he had to wait an extended amount of time for parking lot personnel to respond to his location and allow him and his vehicle to exit.

Department General Order 2.01 (25) states that while on duty, members shall make all required written reports of crimes or incidents requiring police attention.

Based on the totality of circumstances, the named officer complied with department policy.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/15/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 1 of 2**

SUMMARY OF ALLEGATIONS #1-2: The officers behaved or spoke inappropriately.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **U** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that she had an altercation with her neighbor and called the police. The complainant stated that the officers were professional and did not do anything *intentionally* wrong, but they told her to calm down, spent more time with her neighbors than with her, appeared not to believe the complainant, and seemed uninterested in the evidence she presented.

The first named officer separated from the Department before the DPA could interview him about this incident and is no longer subject to discipline.

The second named officer stated that he responded to a call for service by the complainant who alleged that she was being harassed by multiple neighbors. The named officer spoke with the complainant whom he described as acting erratically and speaking rapidly. He denied that a disproportionate amount of time was spent with the neighbors as the named officer stayed with the complainant the entire time while his partner spoke with the neighbors. The named officer stated that he reviewed the complainant's evidence, but it did not have evidentiary value with respect to the claims she made. He stated that he has had several interactions with the complainant as she has repeatedly called the police regarding her neighbors, but that each time the neighbors have proof that the complainant is the aggressor.

The CAD showed that on the day of the incident the named officers responded to a call for service from the complainant regarding a fight with neighbors. It was noted that no weapon was involved, and that the complainant claimed that the neighbors were constantly yelling and harassing her. The case was closed with a notation that there was no merit to any crime. Additional CADs showed that the complainant had called for service for this ongoing neighbor dispute several times over the preceding weeks.

Body-worn camera footage showed that the named officers arrived on-scene and encountered the complainant outside her apartment. The complainant explained the situation to the officers. The second named officer stayed with the complainant while the first named officer spoke with two sets of neighbors at their respective units. The neighbors stated that the complainant had problems with several neighbors and showed a video they had taken of the complainant blowing smoke into their unit. The second named officer listened quietly to the complainant, including when she read out text messages, asked whether she had sought assistance from the property management company, provided a CAD number and explained that his partner was speaking with neighbors getting the other side of the story. The first named officer returned and told the complainant he didn't see any sign of harassment but explained that she could obtain a stay away order. The complainant was upset, asked for a report and stated that the neighbors had been stalking and sexually harassing her. The first named officer asked the complainant whether she had a

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/15/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 2 of 2**

mental health diagnosis or had taken any drugs at which point the complainant indicated she would be contacting the police station. She did so and was provided the DPA's contact information.

The evidence proves that the conduct alleged did not occur.

SUMMARY OF ALLEGATIONS #3-4: The officers failed to write an incident report.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers did not prepare an incident report.

The first named officer stated that no incident report was prepared because no crime had occurred. He stated that this was a situation in which two parties passed by each other and the complainant became irate because someone was looking at her. He stated that he had several interactions with the complainant as she had repeatedly called the police regarding her neighbors, but that each time the neighbors had proof that the complainant was the aggressor.

The second named officer separated from the Department before the DPA could interview him about this incident and is no longer subject to discipline.

The CAD showed that on the day of the incident the named officer responded to a call for service from the complainant regarding a fight with neighbors. It was noted that no weapon was involved, and that the complainant claimed that the neighbors were constantly yelling and harassing her. The case was closed with a notation that there was no merit to any crime. Additional CADs showed that the complainant had called for service for this ongoing neighbor dispute several times over the preceding weeks.

Body-worn camera footage showed that the first named officer provided a CAD number and follow up form to the complainant. When the second named officer returned and stated that he didn't see any signs of harassment, the complainant said that she wanted a report and proceeded to call the district station where she was provided with the DPA contact information.

Department General Order 2.01, General Rules of Conduct, On-Duty Written Reports, states that while on duty, members shall make all required written reports of crimes or incidents requiring police attention.

In this incident, no crime was found by the named officers. The officer's documenting of the incident in CAD versus an Incident Report did not rise to the level of misconduct. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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DATE OF COMPLAINT: 12/03/21 **DATE OF COMPLETION:** 06/24/22 **PAGE# 1 of 2**

SUMMARY OF ALLEGATION #1: The officer had inappropriate behavior or made inappropriate comments.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **U** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer made several flippant remarks, treated the complainant as a second-class citizen and profiled him based on the decals located on the complainant vehicle.

Body-worn camera revealed that the named officer approached the complainant's vehicle, provided the complainant with an explanation for the traffic stop and the vehicle code sections that the complainant violated, before issuing the complainant the citation. The complainant apologized for the violation, but the named officer issued the complainant a citation instead of issuing the complainant a warning. The named officer explained that traffic citations were not issued based on preference and mentioned as an example that giving preference based on race or employment status would be considered biased. The named officer informed the complainant that they could file a citation appeal. The named officer went insofar as to provide the complainant a copy of the DPA brochure with his name and badge number written upon it, as well as providing his name and star number verbally to the complainant. The named officer was direct and behaved in a professional manner toward the complainant.

Department General Order 5.17, Bias-Free Policing, is a policy that establishes the San Francisco Police Department's commitment to just, transparent, and bias-free policing and reinforces existing policies and procedures that serve to assure the public that the SFPD is providing services and enforcing laws in an equitable manner.

Department General Order 2.01 (14), PUBLIC COURTESY, states that when acting in the performance of their duties, while on or off duty, members shall treat the public with courtesy and respect and not use harsh, profane or uncivil language.

There was no evidence to support that the named officer made flippant remarks, treated the complainant unfairly or profiled the complainant based on the complainant's vehicle's decals. The named officer acted professionally and within policy.

The evidence proves that the conduct alleged did not occur.

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DATE OF COMPLAINT: 12/03/21 **DATE OF COMPLETION:** 06/24/22 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #2: The officer issued a citation without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer unjustly pulled him over after he cautiously made a turn. The complainant politely apologized for the violation, but the named officer insisted on citing the complainant instead of issuing the complainant a warning.

Body-worn camera confirmed that the citation was justified.

Traffic Court Records showed that the complainant appealed the citation, and the U-turn violation was upheld.

Department General Order 9.01, Traffic Enforcement, states that the goals of the Department's traffic enforcement program are to reduce traffic collisions, facilitate traffic flow, and ease parking congestion. Generally, officers must use discretion, but officers shall act on moving violations after witnessing a violation.

The evidence showed that while the complainant disputed the rationality of the citation and requested leniency in the form of a verbal warning, the named officer provided the complainant with information to formally appeal the citation. The named officer acted within policy and the U-turn violation was upheld.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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DATE OF COMPLAINT: 01/10/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 3**

SUMMARY OF ALLEGATIONS #1-4: The officers detained a person at gunpoint without justification.

CATEGORY OF CONDUCT: UF **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant and co-complainant stated the named officers arrived at their residence and had firearms drawn and pointed at them. The complainant and co-complainant were confused and did not know why the named officers were present. They said the named officers later informed them that they were provided the wrong address for an incident they were responding to.

The named officers stated they responded to a call for service regarding a suicidal person cutting themselves and thinking about jumping from a building. The named officers stated they arrived at the residence, and the complainant and co-complainant were detained for further investigation. Dispatch later informed the named officers that the reporting party provided the wrong address for the suicidal person. The named officers stated they did not detain the complainant or co-complainant at gunpoint during this incident.

Dispatch records showed that the named officers responded to a call for service regarding a Spanish-speaking person who had been cutting themselves and was thinking about jumping from a building. Records showed that the named officers were dispatched to the complainant's address for this call, and a reporting party later informed Dispatch that the address information was incorrect. The suicidal person was at a different address.

Body-worn camera footage (BWC) showed that the named officers responded to a residence, and the complainant and co-complainant were detained. The footage showed that some of the named officers unholstered their firearms when they first arrived on the scene and did not show any of the named officers pointing firearms at the complainant or co-complainant. The footage showed that the named officers were at the wrong address and that the reporting party provided Dispatch with the incorrect address for the suicidal person.

The evidence proves that the conduct alleged did not occur.

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DATE OF COMPLAINT: 01/10/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 2 of 3**

SUMMARY OF ALLEGATIONS #5-9: The officers conducted an improper search or seizure.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant and co-complainant stated the named officers arrived at their residence and entered without a warrant. They were confused and did not know why the named officers were there. The complainant stated the named officers later told him that there was a mistake, and they were at the wrong address.

The named officers stated they responded to an address for a call for service regarding a suicidal person cutting themselves and thinking about jumping from a building. The complainant and co-complainant were detained, and the named officers were informed that children were inside the residence. The named officers stated they entered the residence and conducted a protective sweep to ensure the safety of everyone inside and to see if anyone needed emergency medical assistance. The officers stated that Dispatch later advised that the suicidal person was at a different address.

The named officers said there were exigent circumstances during this incident due to an imminent threat to life that warranted immediate entry into a residence under the Constitution. The named officers stated that they complied with Department Notice 21-012 during this incident as they entered the residence when exigency existed as they believed anyone inside the residence was in imminent danger based on the information provided by Dispatch, which proved to be wrong only after the incident was over.

Dispatch records showed that a reporting party advised that a suicidal person had been cutting themselves and was thinking about jumping from a building. Records showed that the named officers were dispatched to an address and a reporting party later advised Dispatch that the suicidal person was at a different address.

Body-worn camera footage (BWC) showed that the named officers responded to a residence and that the complainant was detained outside. The complainant advised the named officers that the co-complainant was inside the residence. Named Officers #1 and #2 entered the residence, announced their presence, and called out for the co-complainant. The footage showed the co-complainant coming out of the residence and advising Named Officer #2 that children were still inside the residence. The footage showed the named officers conduct a brief search of the residence, locate the children, and direct them to the co-

complainant. BWC footage showed the named officers determine that they were at the wrong address and that the reporting party provided Dispatch with the incorrect address for the suicidal person. BWC footage

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showed the named officers apologize to the complainant and co-complainant regarding the confusion and inaccurate address information.

Department Notice 21-012 (Entering Residences: Houses, Apartments, Hotels, including SRO Hotels) states in the relevant part, "When entering an individual's residence, members shall comply with the Constitutional mandates of search and seizure law. Under the Constitution, law enforcement officers may enter a residence only if one or more of the following conditions are present prior to entry.... Exigent Circumstances: There are exigent circumstances (an emergency) that warrant immediate entry, such as the need to respond to an imminent threat to life or property..."

The named officers did not violate Department policy during this incident when they entered and searched the residence. Exigent circumstances existed based on information provided by Dispatch.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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DATE OF COMPLAINT: 01/12/22 **DATE OF COMPLETION:** 06/15/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: **IO-1** **FINDING:** **IO-1/IAD** **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside the DPA's jurisdiction. This complaint was forwarded to:

SFPD Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

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DATE OF COMPLAINT: 01/21/22 **DATE OF COMPLETION:** 06/21/22 **PAGE# 1 of 2**

SUMMARY OF ALLEGATIONS #1-2: The officers behaved or spoke inappropriately.

CATEGORY OF CONDUCT: CUO **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers invaded her personal space and yelled at her.

The body worn camera (BWC) footage showed a chaotic scene as the named officers investigated the situation. The BWC showed the named officers attempted multiple times to get information from the complainant, but the complainant refused. The BWC showed the complainant was difficult, disrespectful, and yelled at the named officers. The BWC showed the named officers never yelled back. The BWC showed the named officers remained calm, professional, and focused his investigation.

The named officers were not interviewed because the BWC footage was outcome determinative and proved that the named officers did not do what they were accused of doing.

The evidence showed no validity to the complaint and that the named officers spoke and behaved in a professional manner.

The evidence proves that the conduct alleged did not occur.

SUMMARY OF ALLEGATION #3: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated she has a history of concussions. She stated she asked the named officer to call for an ambulance, but the named officer would not.

The BWC showed the complainant yelled and commanded the named officer to call for an ambulance. The BWC showed the named officer asked why an ambulance was necessary. The BWC showed the complainant refused to provide a reason until the named officer stated they had to provide the information to the medical personnel. Once provided with that information, the BWC showed the named officer immediately requested an ambulance.

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The named officer was not interviewed because the evidence sufficiently showed there was no validity to the complainant's allegation.

The evidence does not support the allegation. The evidence showed, once provided the necessary information, the named officer responded to the complainant's request in a timely manner.

The evidence proves that the conduct alleged did not occur.

SUMMARY OF ALLEGATION #4: The officer failed to properly supervise.

CATEGORY OF CONDUCT: ND FINDING: U DEPT. ACTION:

FINDINGS OF FACT: The complainant stated the higher-ranking named officer did not supervise his subordinate officers properly. The complainant stated he did not require officers to call for an ambulance right away and that the named officer yelled at her.

The BWC showed the named officer responded to the scene shortly after he was requested and after the ambulance had been called. The BWC showed the complainant yelled the information and her frustrations to the named officer. The named officer remained calm and did not yell at the complainant. The BWC showed the named officer talked to the investigating officers for an update on the investigation and the ambulance. The BWC showed the named officer provided alternatives for the complainant to file her complaint.

The named officer was not interviewed. The evidence sufficiently showed the named officer did not do what he was accused of doing.

There is no evidence to prove the named officer did not do his duty. All evidence showed the named officer did not yell at her.

The evidence proves that the conduct alleged did not occur.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/24/22 **DATE OF COMPLETION:** 06/15/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATIONS #1-2: The officers failed to prepare an incident report.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant called 9-1-1 to report verbal and physical threats. The officers responded and the complainant showed them a doorbell video as evidence of the threats. The officers then visited the complainant's neighbor's unit to get his name and information so she could file a restraining order; however, her neighbor did not answer his door. The officers gave the complainant a CAD number documenting the call for service, but the complainant requested an incident report.

Department of Emergency Management (DEM) records showed that the named officers responded to a report of the complainant's neighbor stomping the floor loudly and when she responded to his stomping, he rushed downstairs and violently kicked her door. The officers responded and determined there was no merit to the threats and that the incident was an ongoing dispute between neighbors. The officers advised the complainant to file a restraining order against her neighbor.

The BWC footage showed that the named officers viewed the complainant's video and told her that it was a civil matter. The complainant was adamant that the named officers contact the neighbor to get his contact information which she needed to file a restraining order. The named officers knocked on the neighbor's door, but he did not answer and/or was not home. The named officers requested a CAD number and provided it to the complainant. The complainant did not ask the named officers for a report and stated she was already familiar with the process for filing a restraining order.

The DPA obtained the body worn camera footage of a second set of officers that met with the complainant the day of the incident. The complainant also did not request a police report from the second set of officers.

The investigation showed that the named officers did not violate Department policy as this was a civil matter and the complainant did not ask them for a police report.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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DATE OF COMPLAINT: 02/03/22 **DATE OF COMPLETION:** 06/15/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: **ND** **FINDING:** **NF** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant was robbed and when he visited a district station multiple times to file an incident report, he was told that the incident was not important enough and they refused to write the report. The complainant provided a vague description of one of the officers and did not provide a specific date or time of the incident.

DPA attempted to contact the complainant multiple times to get additional information; however, the complainant failed to provide further information and did not participate further in the investigation.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not be reasonably identified, or the officer has left the Department and therefore the investigation cannot be completed.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/10/22 **DATE OF COMPLETION:** 06/24/22 **PAGE# 1 of 4**

SUMMARY OF ALLEGATION #1: The officer issued a citation without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated she received a parking citation for parking her vehicle in a disabled parking zone. Another individual received a parking citation for parking his vehicle in a red zone. She stated the vehicles were parked in front of bollards and not in the zones indicated on the citations. She was not sure if their parked vehicles covered any red or blue-colored curbs in the area.

The named officer stated that he issued parking citations to the complainant's vehicle and the other individual's vehicle for parking in a disabled space and a red zone. He said the complainant's vehicle's bumper was above a blue painted curb, and a nearby sign indicated the parking spot was for disabled persons only. The named officer said the other vehicle was parked in a no-parking zone. He said parking control officers informed him that a red zone violation applies to vehicles parked in the entire area. He said there isn't any signage explicitly pertaining to the bollards located in the area. Still, San Francisco Municipal Transportation Agency's "No Parking Any Time" is valid for one hundred feet in either direction. He said the bollards are removable to allow entry or emergency or maintenance vehicles to the adjacent park and are not to be blocked at any time.

Parking citations showed the complainant's vehicle was cited for parking in a disabled zone, and the other individual's vehicle was cited for parking in a red zone.

Images of the parking location showed bollards positioned between red and blue painted curbs, a designated disabled parking space, and disabled parking signage. Images of this area also showed a "No Parking Any Time" sign present.

Body-worn camera footage showed a vehicle parked in front of bollards and the complainant's vehicle positioned next to this vehicle. The footage did not capture if the complainant's vehicle did or did not cover any of the blue curb in the area.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/10/22 **DATE OF COMPLETION:** 06/24/22 **PAGE# 2 of 4**

SUMMARY OF ALLEGATION #2: The officer behaved or spoke inappropriately.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **IE** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated she approached the named officer seated in a patrol vehicle. She spoke with him regarding parking citations he issued and asked him if the parking rules in the area had changed. She stated the named officer asked her if she wanted to file a complaint and exited the patrol vehicle. She said the named officer was standoffish, unfriendly, and condescending in tone during their interaction.

The named officer denied being standoffish, unkind, or condescending in his tone when speaking with the complainant. He said he was calm, factual, and consistent with his explanation of the parking violations. He stated that he responded to her request for engagement by exiting his patrol vehicle to discuss the matter with her.

Body-worn camera footage (BWC) for this incident showed the named officer and complainant standing outside and having a brief interaction. The footage showed the named officer telling the complainant to be aware of where she parks her vehicle regardless of how remote the location may be.

The footage did not capture the initial exchange between the officer and the complainant.

The evidence fails to prove or disprove that the alleged conduct occurred.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/10/22 **DATE OF COMPLETION:** 06/24/22 **PAGE# 3 of 4**

SUMMARY OF ALLEGATION #3: The officer failed to activate a body-worn camera as required.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said she approached the named officer seated in a patrol vehicle and spoke with him about parking citations he issued. She stated the named officer exited his vehicle and told her that he needed to activate his body-worn camera (BWC) because she acted hostile. She stated the named officer's BWC did not capture their initial conversation.

The named officer said he activated his body-worn camera (BWC) when he determined the complainant wanted to discuss a ticket he issued to a vehicle because he believed the encounter was becoming hostile. He was initially unsure who the complainant was or what she wanted. He said the complainant appeared upset and based on his experience, people who receive tickets can become hostile toward him. He said he complied with Department General Order 10.11 (BodyWorn Cameras) by activating his BWC when the encounter appeared to become hostile.

Body-worn camera footage for this incident showed the named officer activated his body-worn camera when standing outside and interacting with the complainant. BWC footage showed the named officer telling the complainant that anytime there is an enforcement action and there is contention, he must activate his BWC.

Department General Order 10.11 (Body Worn Cameras) states that members equipped with BWC shall activate their BWC equipment during any citizen encounter that becomes hostile.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/10/22 **DATE OF COMPLETION:** 06/24/22 **PAGE# 4 of 4**

SUMMARY OF ALLEGATION #4: The officer displayed threatening, intimidating, or harassing behavior.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said she approached the named officer seated in a patrol vehicle and spoke with him about parking citations he issued. She stated the named officer exited his vehicle, stood in front of her, and told her that he needed to activate his body-worn camera (BWC) because she acted hostile. She stated that the named officer's behavior was intimidating.

The named officer denied displaying intimidating behavior toward the complainant. He stated the complainant did not want a parking ticket, appeared upset, and based on his experience, people who receive tickets can quickly become hostile toward him. He informed the complainant when he activated his BWC and stood next to her during the encounter in the same way he usually stands next to people he speaks with. He said he told the complainant must activate his BWC whenever there is an enforcement action and any contention. This statement is not intimidating and is a requirement of his department.

Body-worn camera footage for this incident showed the named officer activated his body-worn camera when standing outside and interacting with the complainant. BWC showed the named officer tell the complainant that anytime there is an enforcement action and there is contention, he must activate his BWC.

Department General Order 10.11 (Body Worn Cameras) states in relevant parts, "when feasible, members should inform individuals that they are being recorded," and members equipped with BWC shall activate their BWC equipment during any citizen encounter that becomes hostile.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/10/22 **DATE OF COMPLETION:** 06/16/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer behaved or spoke inappropriately.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **NF/W** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant requested a withdrawal of the complaint.

SUMMARY OF ALLEGATION #2: The officer engaged in selective enforcement.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **NF/W** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant requested a withdrawal of the complaint.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/07/22 **DATE OF COMPLETION:** 06/30/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: **ND** **FINDING:** **NF/W** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant requested a withdrawal of the complaint.

SUMMARY OF ALLEGATION #2: The officer knowingly engaged in biased policing or discrimination.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **NF/W** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant requested a withdrawal of the complaint.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/01/22 **DATE OF COMPLETION:** 06/15/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officers failed to take required action.

CATEGORY OF CONDUCT: **ND** **FINDING:** **NF** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he witnessed two motorcyclists popping wheelies hit a parked vehicle. Both motorcyclists left the area immediately after. The patrol vehicle was flagged down by the complainant who wanted to file a report for the damaged vehicle, but the officer told the complainant that the owner could report the incident. The complainant did not know the patrol vehicle number or the officer's name.

DGO 1.03 states that officers are required to make written reports on crimes observed or brought to their attention that have not been previously reported.

Department records showed no calls for police service for a non-injury vehicle accident as described by the complainant. Additionally, inquiries at the local police station failed to identify an officer.

No findings outcomes occur under four circumstances: The complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not be reasonably identified, or the officer has left the Department and therefore the investigation cannot be completed.

SUMMARY OF ALLEGATION #2: The officer failed to take required action.

CATEGORY OF CONDUCT: **ND** **FINDING:** **NF** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that after if he asked if they were just going to let the person that caused the damaged to the car get away with it, the officer replied, "You'll be surprised with what people get away with." The complainant thought the officer's response was inappropriate.

DGO 2.01 states that officers are required to treat the public with courtesy and respect when acting in the performance of their duties while on or off duty.

Department records showed no calls for police service for a non-injury vehicle accident as described by the complainant. Additionally, inquiries at the local police stations failed to identify an officer.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/11/21 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 2**

SUMMARY OF ALLEGATION #1: The officer behaved and spoke inappropriately.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **U** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant got into a dispute with a taxi driver, who asked her to get out of his car because she was unsure of where she wanted to go. The complainant refused to get out of the car. The taxi driver drove her to a district police station and asked officers to remove the complainant from his taxi. The complainant told the officers that she was concerned about the taxi driver was not following the rules. The officers were disrespectful, condescending, and offensive. They rushed her to exit the taxi and did not check the driver's credentials.

The named officer denied behaving disrespectfully or in a manner that was sarcastic, rude, or aggressive. He did not check the driver's credentials because he had no justification to take such action. He stated that following taxi driver rules was a civil matter that did not require any police action or response.

Body-worn camera footage showed that the named officer was calm and composed. He did not act inappropriately or disrespectfully to the complainant. Another officer offered to call the complainant another taxi.

The issue between the complainant and the driver falls under San Francisco's Transportation Code (Article 1100, Regulation of Motor Vehicles for Hire), an administrative matter regulated by the SFMTA

The evidence proves that the misconduct alleged in the complaint did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/11/21 **DATE OF COMPLETION:** 06/13/22 **PAGE# 2 of 2**

Officer Cory McDowell #1042

SUMMARY OF ALLEGATION #2: The officer behaved and spoke inappropriately.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **U** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant got into a dispute with a taxi driver, who drove her to a district police station when she refused to exit his car. She stated that officer was sarcastic when the complainant told him that he should be enforcing taxi cab regulations.

The DPA was unable to question the named officer, who separated from the Department shortly after the complainant was filed. Body-worn camera footage showed that the named officer assisted the complainant in retrieving her belongings from inside the taxi. The complainant told the officers that their inaction was why people do not like police officers. The named officer replied, "Well yea, 'cause this is our fault, right? What did we do here? We got flagged down by a taxi driver who said he doesn't want the passenger in his vehicle anymore. We helped facilitate..." The named officer spoke in a calm tone and then offered to call the complainant another taxi.

The officer's comment did not rise to the level of misconduct.

The evidence proves that the misconduct alleged in the complaint did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/18/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer behaved or spoke inappropriately.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **M** **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on 6/1/22.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/24/22 **DATE OF COMPLETION:** 06/24/22 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated his vehicle was stolen, and once recovered, it was found stripped. He stated he discovered his stolen rims on a vehicle parked in proximity to where his vehicle was recovered. He stated that although he showed the named officer photos of his rims, the named officer did not seize the rims and return them to him.

The named officer stated he did not give the complainant the rims on the parked vehicle because although the picture of the rims provided by the complainant looked similar to his rims, without a serial number, he was unable to prove definitively that the rims belonged to complainant.

Department records indicate that the complainant's vehicle was stolen and recovered with the components stripped. The record showed that the complainant reported that he discovered his stolen rims on a parked vehicle near where his stripped vehicle was recovered a few days prior.

Body-worn camera footage showed the complainant and the named officer standing next to a parked vehicle that the complainant said had his stolen rims on its tires. The complainant told the named officer that his rims were unique because they were customized with distinct lug nuts. The footage showed the complainant presenting the named officer a picture of the rims on his vehicle before it was stolen. The named officer asked the complainant if he had a serial number. The complainant did not respond but stated he had a receipt. The footage showed the named officer explaining to the complainant that a serial number could prove ownership. He explained that he could send it to the investigation unit and that unit could follow up with him. In addition, the named officer stated he would speak with the vehicle's registered owner. The footage showed the named officer speak with the registered owner of the vehicle, who stated he recently purchased the car and was unaware the rims were stolen.

The named officer did not violate Department policy when he did not take the rims off the parked vehicle and return them to the complainant. The named officer would not have been justified to do so without definitive proof that the rims were stolen and owned by the complainant.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/14/22 **DATE OF COMPLETION:** 06/01/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: This complaint raises matters not rationally within DPA jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-2 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/17/22 **DATE OF COMPLETION:** 06/01/22 **PAGE# 1 of 2**

SUMMARY OF ALLEGATIONS #1-2: The officers displayed threatening, intimidating, or harassing behavior.

CATEGORY OF CONDUCT: CUO **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated she heard a bang on her door, opened the door, and the named officers were standing outside. She stated that she did not know why the named officers were there. She said that the named officers scared her, and the experience was stressful and traumatic.

Department records showed that the named officers responded to a call regarding an at-risk, missing person. Records showed that the named officers later responded to a residence to conduct a well-being check.

Body-worn camera footage showed that the named officers responded to a facility and spoke with a reporting party. The reporting party advised that an individual expressed suicidal ideations and left the facility to go home. Later, the named officers arrived at the complainant's residence, knocked on her door, and spoke to her. The footage showed that the named officers advised that they were there to check on the individual's well-being and that they had attempted to call the complainant before arriving. Body-worn camera footage showed that the named officers were respectful and professional during their interaction with the complainant.

The evidence proves that the conduct alleged did not occur.

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/SFPDIAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

SF Police Department – Internal Affairs
1245 Third Street, 4th Floor,
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/18/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 3**

SUMMARY OF ALLEGATION #1: The officer arrested a person without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer arrested him without cause because he was the victim of an assault and not the aggressor.

Department records indicate that the complainant assaulted a colleague at his workplace with an object. The report documented multiple witness statements that corroborated that the complainant was the aggressor in a fight that caused injuries to the other person. In addition, the report indicates the named officer arrested the complainant for aggravated assault with a weapon.

Body-worn camera footage showed a victim of an assault report that the complainant hit him multiple times in the head with a metal detector wand. The footage also showed injuries on the victim, consistent with being struck on the head with an object.

Surveillance footage showed the complainant strike a person several times in the head with an unidentified implement.

Department General Order 5.06 (Citation Release) allows officers to make a custodial arrest when the person is charged with a felony.

California Penal Code §836 states in the relevant part that an officer may arrest an individual if that person has committed a felony.

California Penal Code §245 states in the relevant part that “any person who commits an assault upon the person of another with a deadly weapon or instrument . . . shall be punished by imprisonment . . . for two, three, or four years . . .”

The named officer acted within Department policy when she arrested the complainant for assault with a deadly weapon, which is a felony.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/18/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 2 of 3**

SUMMARY OF ALLEGATION #2: The officer failed to make an arrest.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer failed to arrest the person who assaulted him.

Department records indicate that the complainant assaulted a colleague at his workplace with an object. The report documented multiple witness statements that corroborated that the complainant was the aggressor in a fight that caused injuries to the other person. In addition, the report indicates the named officer arrested the complainant for aggravated assault with a weapon.

Body-worn camera footage showed a victim of an assault report that the complainant hit him multiple times in the head with a metal detector wand. The footage also showed injuries on the victim, consistent with being struck on the head with an object.

Surveillance footage showed the complainant strike a person several times in the head with an unidentified implement.

Evidence showed the complainant was the aggressor in this incident, and therefore the named officer acted within policy by not arresting the other party.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/18/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 3 of 3**

SUMMARY OF ALLEGATION #3: The officer behaved or spoke inappropriately.

CATEGORY OF CONDUCT: CUO **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer removed him from the holding cell, aimed her body-worn camera at him, and asked him questions that he could not answer.

Department records indicate that the complainant assaulted a colleague at his workplace. The report documented multiple witness statements that the complainant was the aggressor in a fight that caused injuries to the other person. In addition, the report indicates the complainant was arrested for aggravated assault with a weapon.

Body-worn camera footage showed the named officer speaking with the complainant inside a secure area outside the holding cell. The complainant spoke willingly with the named officer after she read him his Miranda Rights.

The named officer professionally conducted herself and did not violate Department policy by questioning the complainant outside the holding cell. In addition, Department policy requires officers to activate their body-worn cameras while in the station.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

SUMMARY OF ALLEGATION #4: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/SFSO **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

San Francisco Sheriff's Office
Internal Affairs Unit
25 Van Ness Avenue, Ste 350
San Francisco, CA 94103

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/25/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: This complaint raises matters not rationally within DPA jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-2 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters not rationally within DPA jurisdiction.

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** IO-1/DEM **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

DEM Division of Emergency Communications
1011 Turk Street
San Francisco
CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/25/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to write an incident report.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant called SFPD to report elder abuse because she believed her neighbors abused her by hacking her phone, pointing laser beams at her, stomping on her floor, harassing her, and embezzling money from her. However, when officers responded and spoke to the complainant, they refused to take her report.

DGO 2.01 (25) states that while on duty, members shall make all required written reports of crimes or incidents requiring police attention.

Police records showed that officers responded to the complainant's residence twice on the day of the incident. The first call was regarding the report of elder abuse, to which an officer responded. The officer documented that he determined the complainant was in an altered mental state. The complainant believed her neighbors were abusing her by keeping her awake, hacking her cellphone through the router, and pointing laser beams at the complainant while she was in the shower. The officer also documented that the complainant requested that he leave. Four hours later, another officer responded to the complainant's residence regarding a well-being check because the complainant again requested an elder abuse report. A patrol sergeant subsequently stopped the calls for service to the complainant's residence and documented that he was currently working with a liaison.

The complainant's report of elder abuse was based on her perception and not facts. A patrol sergeant intervened and attempted to get the complainant the appropriate service she needed; thus, the officer's decision to not write an incident report was appropriate and within policy.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/04/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to make an arrest.

CATEGORY OF CONDUCT: ND **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated approximately 10 months ago, an officer responded to his residence after he reported a disturbance with relatives. He stated one relative was inebriated and in her vehicle with children, and the officer failed to place her under arrest. Complainant did not provide a date for the incident or name or badge numbers for the responding officers.

No Department records could be found related to this incident.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results.

The identity of the alleged officer could not be established.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/04/22 **DATE OF COMPLETION:** 06/13/22 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved or spoke inappropriately.

CATEGORY OF CONDUCT: CUO **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that some time in July or August, unknown officers responded to the scene after an individual pepper-sprayed him, Instead of speaking with him away from the gathering crowd in private, the officer spoke to him with onlookers present.

No Department records were found related to the incident described by the complainant.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results.

The identity of the alleged officer could not be established.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/05/22 **DATE OF COMPLETION:** 06/21/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer issued a citation without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer cited three bicyclists for “minor infractions” that included running red lights and stop signs.

Body-worn camera footage showed that the named officer cited a bicyclist who rode past him and failed to stop at a stop sign at a busy intersection. The officer also cited two bicyclists who ran a red light at another busy intersection, overtaking past multiple vehicles stopped at the intersection.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/06/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/12/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/HPS **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Hastings Parking Services
376 Larkin Street,
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/13/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant requested a withdrawal of the complaint.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/17/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** **IO-1/YCPD** **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Yuba City Police Department
PO Box 3447
Yuba City, CA 95992
United States

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/17/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer displayed threatening, intimidating, or harassing behavior.

CATEGORY OF CONDUCT: **CUO** **FINDING:** **NF** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant did not provide sufficient information to conduct an investigation.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/20/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/DEM **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Sheriff's Department
25 Van Ness Avenue Suite 350
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/19/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATIONS #1-5: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

Department of Motor Vehicles
Investigations Division
Office of Internal Affairs
Mail Station T197
P.O. Box 825389
Sacramento, CA 94232-3890

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/21/22 **DATE OF COMPLETION:** 06/21/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/25/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside of the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside of the DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/25/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside of the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside of the DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/11/22 **DATE OF COMPLETION:** 06/24/22 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on 6/22/22.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/26/22 **DATE OF COMPLETION:** 06/03/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside of the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside of the DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/26/22 **DATE OF COMPLETION:** 06/28/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/SFSO **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Sheriff's Department
Internal Affairs Unit
25 Van Ness Avenue, Suite 350
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/27/22 **DATE OF COMPLETION:** 06/15/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant requested a withdrawal of the complaint.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/06/22 **DATE OF COMPLETION:** 06/15/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1 IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/06/22 **DATE OF COMPLETION:** 06/24/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATIONS #1: The officer drove a City vehicle in a grossly negligent or reckless manner.

CATEGORY OF CONDUCT: **ND** **FINDING:** **NF** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated officers parked a police vehicle blocking a crosswalk. The officers then performed an illegal U-turn putting other vehicles and people at risk.

The complainant failed to provide any further information about this allegation. No details were provided about the officer or the vehicle involved.

There was no video or photos of the incident.

The officer involved was not identified.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/09/22 **DATE OF COMPLETION:** 06/21/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/PCSO **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Chief Deputy
Portage County Sheriff's Office
8240 Infirmary Road, Ravenna, OH 44266

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/08/22 **DATE OF COMPLETION:** 06/15/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Daly City Police Department
Internal Affairs Unit
333 90th Street
Daly City, CA 94015

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/08/22 **DATE OF COMPLETION:** 06/27/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to write an incident report.

CATEGORY OF CONDUCT: **ND** **FINDING:** **U** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the named officer refused him to generate a police report about his issues with his employer.

Department records showed that the named officer prepared a report. The report documented the complainant's request for an incident report regarding a labor dispute between him and his employer.

DGO 2.01 (25), On-Duty Written Reports, while on duty, members shall make all required written reports of crimes or incidents requiring police attention.

Although the officer was not required to write an incident report for a civil matter, he prepared a miscellaneous report and booked the paperwork the complainant provided regarding the civil matter.

The evidence proved that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/17/22 **DATE OF COMPLETION:** 06/24/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: This complaint raises matters not rationally within DPA jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-2 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/21/22 **DATE OF COMPLETION:** 06/27/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside of the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/Maryland State Police **DEPT.**
ACTION:

FINDINGS OF FACT: This complaint raises matters outside of the DPA's jurisdiction. This complaint was forwarded to:

Internal Affairs Division
1201 Reisterstown Road
Headquarters, Building C, 3rd Floor
Pikesville, Maryland 21208
(410) 653-4350 (Main #)
(410) 653-4369 (Fax #)
email: msp.internalaffairs@maryland.gov

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/27/22 **DATE OF COMPLETION:** 06/30/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

California Highway Patrol
Judicial Protection Unit
350 McAllister Street
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/27/22 **DATE OF COMPLETION:** 06/30/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: This complaint raises matters not rationally within DPA jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-2 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/02/21 **DATE OF COMPLETION:** 06/10/22 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made an arrest without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that she was arrested for domestic violence without cause. The complainant stated that video evidence clearly showed that her spouse was the dominant aggressor and that she acted in self-defense and in defense of her juvenile daughter.

The named officer responded to the incident and authored the incident report. The reporting party told dispatchers that a male assaulted two women and was throwing computers and printers. Upon arrival, officers learned that the family worked together in a family-owned restaurant, which had a small office surveilled by cameras. When the named officer arrived, he encountered the complainant, her spouse, and their two children. The family had been involved in an argument that turned physical and the husband was detained in handcuffs. The named officer stated that he interviewed the complainant and attempted to interview her husband, but the husband refused to speak to him. After reviewing surveillance video footage multiple times inside the business office, the named officer determined that there was no dominant aggressor and that both the complainant and her husband played a part in assaulting one another and placed both parties under arrest. The named officer applied for Emergency Protective Orders for both the complainant and her husband which were granted and served on the parties.

DPA reviewed the surveillance video, which did not have sound. At a reduced speed, the video showed that the complainant likely struck her spouse in self-defense and in defense of her daughter, who appeared to be in danger of smothering. However, the named officer was not capable of conducting a reduced speed video examination in the field and it was reasonable for him to conclude that complainant and her spouse engaged in mutual combat by striking each other multiple times.

DGO 6.09, Domestic Violence, directs officers to treat all acts of domestic violence as criminal conduct and states that, "When the elements of a crime exist, members shall make an arrest instead of using dispute mediation or other police intervention techniques." DGO 6.09 further instructs that officers may make warrantless misdemeanor arrests when "probable cause exists to believe that an assault or battery has occurred upon a current or former spouse or cohabitant." Here, the named officer had probable cause, based on video evidence, to believe that both spouses committed a misdemeanor domestic violence battery. The officer was therefore following Department orders when he arrested both spouses.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 1 of 7**

SUMMARY OF ALLEGATION #1: The officer failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he was driving home from a missed appointment with a friend. The named officer stopped the complainant for driving erratically. The complainant stated the named officer berated him, told the complainant to calm down and made him remain in the vehicle. The complainant stated the named officer eventually let them both go.

The named officer could not be identified.

No CAD was found for the incident.

No BWC exists for the incident.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

SUMMARY OF ALLEGATIONS #2-4: The officers behaved or spoke inappropriately.

CATEGORY OF CONDUCT: CUO **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he called police after getting into a fight with his friend. The complainant stated the named officers were very mean to him. He stated the named officers berated him and told him to calm down.

The named officers stated that when they arrived at the scene, the complainant was yelling, cursing and was overly demonstrative. The complainant was moving around a lot and sweating despite it not being a hot day. The complainant's eyes were dilated, and he seemed confused and would forget what he just said. One named officer stated the complainant gave officers conflicting responses to their questions. The named officers stated they told the complainant to calm down. The named officers stated it was to allow the complainant to breathe and to figure out the issues one at a time.

Dispatch records showed the call was for an escalating 418 DV. It showed the caller was the complainant. The CAD showed that the caller was very agitated and talking rapidly. The CAD also showed the caller was hysterical and continued to yell and curse about a female passenger in his vehicle. The CAD showed

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 2 of 7**

the named officers were those who responded to the scene and that the incident lasted for about one and a half hours.

The BWC showed the complainant acting erratically, moving around a lot and being demonstrative. The BWC showed the named officers asked the complainant to calm down on several occasions. On one occasion, the named officer stated to the complainant the complainant needed to focus. The BWC showed the complainant looked at the named officers confused, calmed down briefly, got agitated then got loud again. The BWC showed the named officers talked to the complainant mostly in a conversational voice and asked questions. The BWC showed the named officers raised their voice on some occasions as the complainant was not reacting to calmer tones. The BWC showed an ambulance was called. It showed the emergency medical services (EMS) assessed the complainant medically. It also showed the complainant sat still during the assessment.

The named officers tried several different ways to get the complainant to calm down and answer questions. The complainant did not respond to the calmer tones that the named officers started with, but the complainant did respond to louder, commanding voices. While they did get loud, nothing about what they said or how they said it was inappropriate.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

SUMMARY OF ALLEGATIONS #5-8: The officers behaved or spoke inappropriately.

CATEGORY OF CONDUCT: CUO **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officers asked if the complainant was on drugs and implied that he was. The complainant stated medics checked the complainant and no drugs were found in his system.

The named officers stated when they conduct investigations, the named officers must ask certain questions. The named officers stated they asked the complainant if he was on drugs because of the complainant's behavior and to also determine what caused the fight between the complainant and his female friend. One named officer stated that he recalled asking if the complainant had anything to drink or if the complainant was on drugs. The named officer stated the complainant stated he was on prescription

drugs for a stomach ailment. The named officer stated the complainant was seen by medics but stated medics do not do drug tests on the spot. Additionally, the named officer stated they do not ask questions about the result of the medical assessment, only that the subject is medically cleared to be released.

The two CADs for this case did not include a note or information about drugs or alcohol.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 3 of 7**

The BWCs showed the named officers asked the complainant about his well-being. The named officers informed the complainant why they were asking the questions. The BWC showed the complainant was moving around erratically and was incoherent at times. The BWC showed one named officer asked the complainant if the complainant knew they were police officers and if the complainant was on medication.

The complainant showed signs that he might have been under the influence of drugs or alcohol, and officers appropriately asked if he was.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

SUMMARY OF ALLEGATIONS #9-11: The officer invaded a person's privacy.

CATEGORY OF CONDUCT: CUO **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officers entered the complainant's home and touched the complainant's items without consent.

The named officers stated they entered the complainant's home to retrieve items for the complainant's female friend and to bring in the complainant's items from the lobby. One named officer stated the complainant stated he did not want his female friend to enter his property. The named officer stated the female friend asked the named officer to retrieve a specific item that belonging to her. The named officer stated he asked for consent twice before entering the complainant's apartment, first when he was at the lobby with the complainant and the second before he entered the apartment. The named officer stated the complainant gave verbal consent both times. The named officer stated he did not touch any items inside the apartment except for the female friend's belongings. The named officer stated the complainant handed the items to him.

Another named officer stated he offered to assist the complainant bring the complainant's belongings to the complainant's apartment. The named officer stated he was at the lobby when he asked the complainant for consent. The named officer stated the apartment and the lobby were a few steps away in

distance. The named officer stated the complainant was inside his apartment with the apartment door open when the complainant yelled the verbal consent to the officer. The named officer stated he knew the complainant understood the complainant provided consent because the complainant did not say anything to the contrary when the named officer entered the apartment. Additionally, the named officer stated the complainant's body language did not indicate he did not want the officer inside the apartment. The named officer stated he brought the items inside the apartment and did not touch anything.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 4 of 7**

The BWCs showed the interactions between the named officers and the complainant. The BWCs showed the complainant yelled out consent when the named officers asked about entering the apartment. One BWC showed one named officer asked twice before entering the apartment. The BWCs also showed the named officers did not touch any items inside the apartment. The BWCs showed the named officers either handed items to the complainant or placed the items carefully on the floor inside the apartment.

The complainant gave permission for the named officers to enter his apartment. The named officers assisted the complainant with getting his belongings into the apartment and also retrieved the complainant's friend's belongings.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

SUMMARY OF ALLEGATION #12: The officer intentionally failed to report misconduct by another sworn or non-sworn employee.

CATEGORY OF CONDUCT: ND **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer witnessed other officers speaking and behaving inappropriately towards the complainant. The complainant stated the named officer did not intervene.

The named officer stated he did not witness any inappropriate behavior from any of his partners. He stated the officers acted professionally and treated the complainant with respect. The named officer stated they never used profanity on the complainant, addressed the complainant by his first name and helped the complainant with his items. The named officer stated they used a process of escalation they learned in the academy when a subject does not heed commands. The named officer stated the officers used ATOM-- Ask, Tell, Order, Make—on the complainant in order to calm him down and make him listen.

The BWC showed the complainant appeared agitated, bouncing around and spoke to the officers in a belligerent and aggressive tone. The BWC showed the officers asked the complainant to calm down several times, but the complainant would not. The BWC showed the officers' tone of voice became stern during some of the interaction with the complainant. The BWC showed the complainant's behavior remained the same for the entirety of the incident.

The CAD showed the incident lasted about one hour and a half.

The other officers' conduct was proper and thus the named officer did not have any duty to intervene.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 5 of 7**

The evidence proves that the conduct alleged did not occur.

SUMMARY OF ALLEGATION #13: The officer's discourteous behavior or statements were related to gender.

CATEGORY OF CONDUCT: CUO **FINDING:** IE **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer said "that's so pink" when he entered the apartment and saw the complainant's bag.

The named officer stated what he said was "that's a lot of pink." He stated his comment was an observation, not a malicious statement related to gender. The named officer stated he was trying to establish a rapport with the complainant and did not mean any disrespect by the comment. The named officer stated the complainant did not say anything to the named officer about the comment to indicate he was offended. The named officer stated, had the complainant let known he was bothered by the comment, the named officer would have corrected it.

The BWC showed the incident occurred when the named officer entered the complainant's apartment. The BWC showed the complainant's apartment, and the majority of the complainant's belongings were pink in color. The BWC audio picked up the faint comment by the named officer. The BWC showed the complainant did not respond or retort the comment.

While the complainant interpreted the comment as offensive, the named officer stated that he was just trying to build a rapport with the complainant and did not mean anything derogatory. There was not enough evidence to determine whether the intent of the comment was derogatory.

The evidence fails to prove or disprove that the alleged conduct occurred.

SUMMARY OF ALLEGATION #14: The officer intentionally damaged property.

CATEGORY OF CONDUCT: UA **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer touched the complainant's scooter and damaged it in the process.

The named officer stated he first became aware of the scooter when he entered the complainant's apartment building. He stated there was a pile of items in the lobby and believed one of the items was the scooter. The named officer stated the condition of the scooter appeared normal to him. The named officer

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 6 of 7**

stated he did not notice any wires hanging or anything amiss with the scooter. The named officer stated the scooter was laying on the floor before he picked it up to bring the scooter inside the apartment. The named officer stated he handed the scooter to the complainant. The named officer stated he could not have damaged the scooter because all he did was pick up the scooter then handed it off to the complainant. He stated he did not drop, bounce, ride or drag the scooter.

The BWC showed the scooter was folded and laying on the ground in the lobby. The BWC showed the complainant picked up the folded scooter, wheeled it to the foot of the stairs, dragged it to the top of the stairs then wheeled it again up to the front of the complainant's apartment door. The BWC showed the scooter bounced on each step as it was dragged up the stairs. The BWC showed the complainant opened his apartment door but left the scooter and other items outside in the hallway. The BWC showed the named officer asked the complainant if the complainant would like the named officer to help bring in the scooter. The BWC showed the named officer picked up the scooter and brought it inside the apartment, handed the scooter to the complainant who then placed the scooter in a closet. The BWC could not ascertain if the scooter was lifted, wheeled or dragged by the named officer but it appeared the named officer did not let the scooter touch the ground. The BWC did not show visible, physical damage to the top part of the scooter.

There is no evidence to show that any officer did anything to the complainant's scooter that would cause damage. BWC does show the complainant handling the scooter carelessly.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

SUMMARY OF ADDED ALLEGATIONS #1-3: The officers failed to write an incident report.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: During the course of the investigation, it was discovered that no incident report was written.

SFPD CISU confirmed a report was not written for the incident.

The named officers stated they did not write an incident report because, given the evidence, they were not required to do so. The named officers stated the scene was chaotic when they first arrived to respond to the 918 DV call. The named officers stated they sorted the subjects and spoke to each separately. The named officers stated the parties stated they were not in a sexual relationship and are platonic friends of thirteen years. The named officers stated the allegation of assault could not be proven because there were no cameras that captured the incident. The named officers stated they did not observe any injuries to any of the parties and both parties stated they did not want to press charges.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/21 DATE OF COMPLETION: 06/12/22 PAGE# 7 of 7
DGO 6.09, II states:

A. DOMESTIC VIOLENCE. Domestic Violence is an act or pattern of abuse committed against the suspect's intimate partner, defined by state law as a spouse, former spouse, cohabitant, domestic partner; a person with whom the suspect has had a child; or has/had a dating or engagement relationship.

One of the two CADs for this incident showed it was a call for 918 DV. The CAD showed the caller stated the ex-girlfriend was attacking him, that he was hysterical and kept yelling that the ex would not get out of his vehicle. The CAD also showed the caller was verbally abusing the dispatcher. The other CAD showed that sometime between the one and a half hours the named officers were at the scene, the incident turned into a Well Being Check incident.

There was no evidence that a crime occurred. There was no evidence that anyone was injured. The complainant told police he and the woman were not in an intimate or domestic relationship. No report was needed.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/21 **DATE OF COMPLETION:** 06/21/22 **PAGE# 1 of 2**

SUMMARY OF ALLEGATIONS #1-2: The officers failed to promptly respond to a scene.

CATEGORY OF CONDUCT: **ND** **FINDING:** **PC** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that his roommate had a heated argument with her ex-boyfriend outside their residence. The ex-boyfriend works as an armed security guard but was not seen brandishing any weapons at the time. His other roommate called the police for help, but officers never responded to the scene.

The two named officers stated that they did respond to the scene and arrived on the scene three minutes after they were dispatched. However, the suspect was already gone on arrival when they arrived.

Department records indicate that the officers were dispatched to the location a few hours after the 911 call was made and arrived on the scene within three minutes once dispatched by Department of Emergency Management (DEM) personnel.

The DEM CAD document showed that no police officers were dispatched to the 911 call until several hours after the 911 call was made. The document showed that after a few hours, the named officers were contacted and dispatched by DEM personnel. The time between when the officers were dispatched to arriving on the scene is less than three minutes. A call back was made, but the reporting party did not reply.

The evidence proves that DEM personnel dispatched the officers to the scene who arrived shortly after.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/21 **DATE OF COMPLETION:** 06/21/22 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #3: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** **IO-1/DEM** **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

Division of Emergency Communications
Department of Emergency Management
1011 Turk Street, San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/19/22 **DATE OF COMPLETION:** 06/01/22 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #1: The officer drove improperly.

CATEGORY OF CONDUCT: ND **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and an SFPD representative, the complaint was mediated and resolved in a non-disciplinary manner on 5/24/22.

SUMMARY OF ALLEGATION #2: The officer behaved or spoke inappropriately.

CATEGORY OF CONDUCT: CUO **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and an SFPD representative, the complaint was mediated and resolved in a non-disciplinary manner on 5/24/22.

SUMMARY OF ALLEGATION #3: The officer improperly or unsafely used Department or City equipment.

CATEGORY OF CONDUCT: ND **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and an SFPD representative, the complaint was mediated and resolved in a non-disciplinary manner on 5/24/22.

SUMMARY OF ALLEGATION #4: The officer misused police authority.

CATEGORY OF CONDUCT: CUO **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and an SFPD representative, the complaint was mediated and resolved in a non-disciplinary manner on 5/24/22.

SUMMARY OF ALLEGATION #5: The officer failed to comply with San Francisco Health Code.

CATEGORY OF CONDUCT: ND **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and an SFPD representative, the complaint was mediated and resolved in a non-disciplinary manner on 5/24/22.

SUMMARY OF ALLEGATION #6: The officer displayed threatening, intimidating, or harassing behavior.

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DATE OF COMPLAINT: 02/19/22 **DATE OF COMPLETION:** 06/01/22 **PAGE# 2 of 2**

CATEGORY OF CONDUCT: CUO **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and an SFPD representative, the complaint was mediated and resolved in a non-disciplinary manner on 5/24/22.

SUMMARY OF ALLEGATION #7: The officer issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and an SFPD representative, the complaint was mediated and resolved in a non-disciplinary manner on 5/24/22.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/04/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and an SFPD representative, the complaint was mediated and resolved in a non-disciplinary manner on 6/1/22.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/25/22 **DATE OF COMPLETION:** 06/15/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/30/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

SFPD Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
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DATE OF COMPLAINT: 04/26/22 **DATE OF COMPLETION:** 06/24/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer behaved or spoke in a manner unbecoming an officer.

CATEGORY OF CONDUCT: CUO **FINDING:** IE **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that she passed legal forms to the named officer and the named officer threw the forms back at the complainant.

The named officer stated that he was not handed legal forms by the complainant and did not throw any items at her. The named officer stated he was behind a glass screen and could not have thrown anything at the complainant. The named officer stated he was polite to the complainant.

There is no other evidence related to this allegation to refute or corroborate either account. This is one word against another, and no determination can be made.

The evidence fails to prove or disprove that the alleged conduct occurred.

SUMMARY OF ALLEGATION #2: The officer failed to initiate or process a personnel complaint.

CATEGORY OF CONDUCT: ND **FINDING:** IE **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the named officer refused to provide her with a complaint form on request.

The named officer stated that the complainant never communicated to him that she wished to file a complaint. The officer said that the complainant never communicated why she was at the police station or what she expected of the officer. The officer said that the complainant asked to speak to his supervisor, and he immediately contacted his sergeant to come and speak to the complainant.

There is no other evidence related to this allegation to refute or corroborate either account. This is one word against another, and no determination can be made.

The evidence fails to prove or disprove that the alleged conduct occurred.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/26/22 **DATE OF COMPLETION:** 06/03/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raised matters that were imaginary or not rationally within DPA jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-2 **DEPT. ACTION:**

FINDINGS OF FACT: The complaint raised matters that were imaginary or not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/08/22 **DATE OF COMPLETION:** 06/28/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1 IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/21/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 1 of 3**

SUMMARY OF ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he had a verbal altercation with an employee while paying for groceries at a store's self-checkout machine. Once done paying, three security guards approached and told him to leave. The complainant refused to leave and asked for a manager. The complainant stated the named officer, who was working at the store at the time, asked him whether they could talk outside. The complainant refused and continued asking for the manager. When the manager arrived, he told her what had just happened. The complainant stated that the manager did not say anything and gestured to the guards to escort him out. When he refused to leave, the guards grabbed him, took him to the ground, and placed him in handcuffs. He asked the named officer for help and to intervene. He also asked the named officer to loosen his handcuffs. The complainant stated the officer refused to do anything.

The named officer stated that he was working an overtime assignment at the grocery store. The complainant had a loud verbal altercation with an employee and three security guards as he was leaving the checkout area. The complainant was carrying a large metal rod and a large metal chain and was extremely aggressive, confrontational, and hostile to the security guards and employees of the store. The guards wanted the complainant to leave as directed by the store manager, but the complainant refused. The named officer tried to de-escalate the situation and calm the complainant down by asking if they could talk outside, but the complainant refused. The named officer told the complainant that the guards could make a citizen's arrest if he did not comply and remained in the store. The named officer did not intervene in the detention because the guards neither asked for his assistance nor lost control of the situation. He did not see the guards assault the complainant or doing anything unreasonable, so there was no reason for him to intervene in the detention. When the complainant complained about his handcuffs, he advised the guards to make sure the handcuffs were properly placed since they had custody of the complainant. The named officer advised dispatch what had happened, attempted to find out whether the complainant was injured, directed security guards to call the non-emergency number to dispatch a district police unit, and created a CAD record.

Two patrol officers responded to investigate. They interviewed the parties and prepared a report documenting the incident.

Body-worn camera footage of the incident showed the complainant behaved in an aggressive and agitated manner. He was holding a long metal bar that appeared to exceed the length of his body. The named officer spoke calmly with the complainant and asked him to step outside, but the complainant refused and

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/21/21 **DATE OF COMPLETION:** 06/12/22 **PAGE# 2 of 3**

SUMMARY OF ALLEGATION #1: Continued.

asked for a manager. When the store manager arrived, the complainant refused to talk to her and asked for a senior manager. The complainant refused to leave when asked by one of the guards under the direction of the manager. The guard advised the complainant that he could go out of the store on his own accord, or they could escort him out. The complainant refused to leave, and when the guard grabbed his metal bar, the complainant yelled at the guard not to touch his property. The guard held the complainant's right arm to guide him outside. The complainant resisted by leaning his body against a stack of bottled water. Another guard grabbed his right arm. The complainant continued to resist by flailing his arms and refusing to move forward. A third guard assisted, and the complainant was taken to the ground. What occurred on the ground was no longer captured by the named officer's body camera, but the complainant could be heard yelling profanities. The named officer could also be heard telling the complainant to stop resisting. The video further showed that the named officer advised the guards to call for district officers to the scene. The named officer also called Dispatch and reported the incident. He reported that the complainant resisted while being escorted out of the store by security guards and that he refused medical attention. The video showed the named officer told one of the guards to check the complainant's handcuffs. The guard then contacted the complainant and checked his handcuffs.

Surveillance video of the incident showed that when the guards grabbed the complainant's arms to escort him out, the complainant resisted and tensed up his arms, refused to walk, and flailed his legs once down on the ground. The guards struggled to put the complainant in handcuffs. They then allowed him to sit on the floor. At one point, the complainant tried to kick one of the guard's feet.

A cell phone video taken by one of the guards showed the complainant resisting and struggling with the guards as they physically controlled and handcuffed him on the ground.

Section 3.C. of SFPD PLES Manual, states in part:

While working a PLES assignment, members are still required to take appropriate action in response to observed violations, regardless of whether the violations are committed by the program user, his/her agents, or members of the public. Members working a PLES assignment may on-view or be advised of a crime in progress. Members shall immediately take the appropriate action to control the scene and notify DEM to dispatch a station unit to handle the incident. The district station unit will be responsible for all aspects of the investigation.

The complainant trespassed by refusing to leave the grocery store. The private security guards attempted to remove the complainant from the store at the direction of the manager. The private security guards used physical control holds and handcuffed the complainant when he refused to drop the metal pole and leave. The security guards were effectively performing a private person arrest for trespassing and the named officer was not required to intervene in their detention. The named officer took appropriate action by

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/21/21 DATE OF COMPLETION: 06/12/22 PAGE# 3 of 3

SUMMARY OF ALLEGATION #1: Continued.

calling Dispatch about the incident and advising the guards to call for a station unit to the scene. The evidence also showed that he advised one of the guards to check the complainant's handcuffs and wellbeing since the complainant was under their custody, not by SFPD officers.

The evidence proves that the named officer's actions were justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/13/22 **DATE OF COMPLETION:** 06/13/22 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/SFO **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

SFO Curbside Management
FSP PPM Management LLC
P.O. Box 280480
San Francisco, CA 94128

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/27/22 **DATE OF COMPLETION:** 06/28/22 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-1/GPD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Goodland Kansas Police Department
Attn: Chief
204 West 11th Street
Goodland, KS 67735